

AMENDED IN SENATE AUGUST 30, 2011

AMENDED IN SENATE JULY 11, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY MAY 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 815

Introduced by Assembly Member Brownley
(Principal coauthor: Assembly Member John A. Pérez)
(Coauthors: Assembly Members Alejo, Ammiano, Carter, Eng,
Furutani, Gatto, Roger Hernández, Lara, Ma, and Williams)
(Coauthor: Senator Lowenthal)

February 17, 2011

An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of Division 4 of Title 2 of the Education Code, relating to instructional programs, *and making an appropriation therefor*.

LEGISLATIVE COUNSEL'S DIGEST

AB 815, as amended, Brownley. Instructional programs: State Seal of Biliteracy.

Existing law sets forth various requirements for the issuance of diplomas conferred upon a pupil as evidence of graduation from high school. Statutory provisions establish the Golden State Seal Merit Diploma for the purpose of recognizing pupils who have mastered the high school curriculum.

This bill would establish the State Seal of Biliteracy to recognize high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to

English. The State Seal of Biliteracy would be awarded by the Superintendent of Public Instruction in accordance with specified criteria. The Superintendent would be required to prepare and deliver to participating school districts the seal insignia. Participating school districts would be required to maintain records in order to identify pupils who have earned a State Seal of Biliteracy and to affix an appropriate insignia to the diploma or transcript of pupils who earn a State Seal of Biliteracy.

The bill would make an appropriation by authorizing the Superintendent to use money appropriated for purposes of the Golden State Seal Merit Diploma program to develop an Internet Web site for electronic delivery of the seals for both the Golden State Seal Merit Diploma and State Seal of Biliteracy programs to school districts.

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) It is the intent of the Legislature to encourage excellence for
- 4 all pupils, and the Legislature wishes to publicly recognize pupils
- 5 for exemplary achievements in academic studies.
- 6 (b) The study of world languages in elementary and secondary
- 7 schools should be encouraged because it contributes to a pupil's
- 8 cognitive development and to our national economy and security.
- 9 (c) Proficiency in multiple languages is critical in enabling
- 10 California to participate effectively in a global political, social,
- 11 and economic context, and in expanding trade with other countries.
- 12 (d) The demand for employees to be fluent in more than one
- 13 language is increasing both in California and throughout the world.
- 14 (e) The benefits to employers in having staff fluent in more than
- 15 one language are clear: access to an expanded market, allowing
- 16 business owners to better serve their customers' needs, and the
- 17 sparking of new marketing ideas that better target a particular
- 18 audience and open a channel of communication with customers.
- 19 (f) It is the intent of the Legislature to promote linguistic
- 20 proficiency and cultural literacy in one or more languages in
- 21 addition to English and to provide recognition of the attainment
- 22 of those needed and important skills through the establishment of

1 the State Seal of Biliteracy. A State Seal of Biliteracy would be
2 affixed on the high school diplomas or transcripts of graduating
3 pupils attaining proficiency in one or more languages in addition
4 to English.

5 SEC. 2. Article 6 (commencing with Section 51460) is added
6 to Chapter 3 of Part 28 of Division 4 of Title 2 of the Education
7 Code, to read:

8
9 Article 6. State Seal of Biliteracy

10
11 51460. (a) The State Seal of Biliteracy is established to
12 recognize high school graduates who have attained a high level of
13 proficiency in speaking, reading, and writing in one or more
14 languages in addition to English. The State Seal of Biliteracy shall
15 be awarded by the Superintendent. School district participation in
16 this program is voluntary.

17 (b) The purposes of the State Seal of Biliteracy are as follows:

- 18 (1) To encourage pupils to study languages.
19 (2) To certify attainment of biliteracy.
20 (3) To provide employers with a method of identifying people
21 with language and biliteracy skills.
22 (4) To provide universities with a method to recognize and give
23 academic credit to applicants seeking admission.
24 (5) To prepare pupils with 21st century skills.
25 (6) To recognize and promote foreign language instruction in
26 public schools.
27 (7) To strengthen intergroup relationships, affirm the value of
28 diversity, and honor the multiple cultures and languages of a
29 community.

30 51461. (a) The State Seal of Biliteracy certifies attainment of
31 a high level of proficiency by a graduating high school pupil in
32 one or more languages, in addition to English, and certifies that
33 the graduate meets all of the following criteria:

- 34 (1) Completion of all English language arts requirements for
35 graduation with an overall grade point average of 2.0 or above in
36 those classes.
37 (2) Passing the California Standards Test in English language
38 arts administered in grade 11 at the proficient level or above.
39 (3) Proficiency in one or more languages other than English,
40 demonstrated through one of the following methods:

1 (A) Passing a foreign language Advanced Placement—(AP)
2 examination with a score of 3 or higher or an International
3 Baccalaureate examination with a score of 4 or higher.

4 (B) Successful completion of a four-year high school course of
5 study in a foreign language, and attaining an overall grade point
6 average of 3.0 or above in that course of study.

7 (C) If no Advanced Placement—(AP) examination or off-the-shelf
8 language test exists and the school district can certify to the
9 Superintendent that the test meets the rigor of a four-year high
10 school course of study in that foreign language, passing a school
11 district language examination that, at a minimum, assesses
12 speaking, reading, and writing in a language other than English at
13 the proficient level or higher. If a school district offers a language
14 examination in a language in which an Advanced Placement—(AP)
15 examination or off-the-shelf language test exists, the school district
16 language examination—~~must~~ *shall* be approved by the
17 Superintendent for the purpose of determining proficiency in a
18 language other than English.

19 (D) Passing the SAT II foreign language examination with a
20 score of 600 or higher.

21 (b) If the primary language of a pupil in any of grades 9 to 12,
22 inclusive, is other than English, he or she shall do both of the
23 following in order to qualify for the State Seal of Biliteracy:

24 (1) Attain the early advanced proficiency level on the English
25 language development test. For purposes of this paragraph, a
26 participating school district may administer the ~~CELDT~~ *English*
27 *language development test* an additional time as necessary.

28 (2) Meet the requirements of subdivision (a).

29 (c) For languages in which an ~~AP~~ *Advanced Placement* test is
30 not available, the Superintendent ~~shall~~ *may* provide a listing of
31 equivalent summative tests that school districts may use in place
32 of an ~~AP~~ *Advanced Placement* test for purposes of subparagraph
33 (A) of paragraph (3) of subdivision (a). *A school district may*
34 *provide the Superintendent with a list of equivalent summative*
35 *tests that it uses in place of an Advanced Placement test for*
36 *purposes of subparagraph (A) of paragraph (3) of subdivision (a).*
37 *The Superintendent may use lists received from school districts in*
38 *developing his or her list of equivalent summative tests.*

1 (d) For purposes of this article, “foreign language” means a
2 language other than English, and includes American Sign
3 Language.

4 51462. The Superintendent shall do both of the following:

5 (a) Prepare and deliver to participating school districts an
6 appropriate insignia to be affixed to the diploma or transcript of
7 the pupil indicating that the pupil has been awarded a State Seal
8 of Biliteracy by the Superintendent.

9 (b) Provide other information it deems necessary for school
10 districts to successfully participate in the program.

11 51463. A school district that participates in the program under
12 this article shall do both of the following:

13 (a) Maintain appropriate records in order to identify pupils who
14 have earned a State Seal of Biliteracy.

15 (b) Affix the appropriate insignia to the diploma or transcript
16 of each pupil who earns a State Seal of Biliteracy.

17 51464. It is the intent of the Legislature that no fee be charged
18 to a pupil pursuant to this article.

19 *SEC. 3. The Superintendent of Public Instruction may use*
20 *money appropriated for purposes of the Golden State Seal Merit*
21 *Diploma program pursuant to Section 47 of Chapter 204 of the*
22 *Statutes of 1996 to develop an Internet Web site for electronic*
23 *delivery of the seals for both the Golden State Seal Merit Diploma*
24 *and State Seal of Biliteracy programs as set forth in Article 5*
25 *(commencing with Section 51450), and Article 6 (commencing*
26 *with Section 51460), of Chapter 3 of Part 28 of Division 4 of Title*
27 *2 of the Education Code. The Superintendent may use these funds*
28 *on a one-time basis to develop an Internet Web site to make*
29 *electronically available to school districts the seals for the Golden*
30 *State Seal Merit Diploma and State Seal of Biliteracy programs.*